

S 1642

CONGRESSIONAL RECORD — SENATE

February 23, 1984

S. RES. 352

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Joyce L. Thiss, widow of George R. Thiss III, an employee of the Senate at the time of his death, a sum equal to five months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 353—RELATING TO UNIVERSAL BASIC TELEPHONE SERVICE

Mr. LAUTENBERG (for himself, Mr. FORD, Mr. EXON, and Mr. INOUE) submitted the following resolution which was referred to the Committee on Commerce, Science and Transportation:

S. RES. 353

Whereas the telecommunications industry is in a state of transition due to organizational changes in the industry as well as technological advances and rapidly developing competition;

Whereas it is essential that affordable basic telephone service remain universally available during and after this transition;

Whereas efforts now underway that are intended to provide long-run benefits to individual consumers and to the U.S. economy generally, may have a negative effect on universal service; and

Whereas, the sudden transition to new pricing levels, mechanisms and structures for a variety of telecommunications services—including local access, special access, and OCC access—may threaten the viability of alternative networks, the vitality of interexchange competition, and the maintenance of universal service.

Now, therefore be it resolved that it is the sense of the United States Senate, That

1. A proper balance of the public interest requires a reliance on sound economic principles and open marketplace competition only to the extent it does not jeopardize the universal availability of affordable basic telephone service of adequate quality;

2. The Federal Communications Commission should institute no flat end user charges for residential and single line business customers until it thoroughly documents that such charges will not threaten universal basic telephone service and submits the results of its study to the Senate in sufficient advance time to enable the Senate to exercise its oversight function. If proposed, such changes shall not be implemented before June, 1985.

3. If the Commission implements flat end user charges after completing the study called for above, it shall at the same time, in conjunction with the states ensure the institution of reduced cost basic telephone or lifeline service for those people who otherwise would not be able to afford basic telephone services and it shall exempt such people from the obligation to pay any flat end user charge adopted by the Commission.

Devise and implement a plan, whereby rural small telephone companies with high costs will receive necessary additional assistance in excess of that which the Commission had announced in July 1983 for such companies, in order to ensure affordable basic telephone service to their customers;

Carefully review the tariffs for interexchange telecommunications services that are filed to carry out the Commission's action to ensure that the prices for such

services are reduced to the maximum extent possible;

4. If the Commission finds, after thorough and scrupulous review, that there are justified significant changes in the pricing levels, mechanisms and structures for telecommunications services—including local access, special access, and OCC access—the Commission shall implement such changes in a gradual transition, in order to minimize the impact of the viability of alternative networks, the vitality of competition, and the maintenance of universal service. Accordingly, if the Commission shall impose flat end user charges on residential and single-line business customers, those charges shall not exceed \$4 per month per line prior to 1990 and the implementation of the charges rising to the \$4 level shall be phased in gradually. The Commission shall not consider any further increases in the charges before additional study and Congressional oversight in the light of facts developed during the transition period between 1984 and 1990. Also, the Commission shall expand the exemption from surcharges on private line surcharges to include those users who appropriately verify that they do not interconnect with the public switched telephone network.

● Mr. LAUTENBERG. Mr. President, today I am introducing a sense of the Senate resolution regarding the continuing transition in telecommunications, particularly, the effort by the Federal Communications Commission to phase out the so-called long distance subsidy of local fixed costs and to substitute a so-called access charge on all local customers. I am joined by Senators FORD, EXON, and INOUE.

On January 26, 1984, the Senate agreed to table a motion to proceed to S. 1660, a bill to impose a 2-year moratorium on access charges on residential and small business telephone customers. While I had earlier supported a legislative response to the Commission, I argued during Senate consideration that recent actions by the FCC made legislation, at least for the time being, unnecessary.

In obvious response to congressional concern, the Commission tentatively agreed on January 19, and confirmed on January 25, to postpone access charges, to mandate a mechanism to insure lifeline service for the poor, and to address other concerns expressed here. As recently as last week, the Commission issued a memorandum opinion and order in furtherance of its January decision. We are introducing this resolution to make clear our intention to hold the Commission to its word.

I do want to emphasize, however, that this resolution does not address the matter of restoring the pension portability rights of the employees of the former Bell System. That is something that we must correct through legislation. I am committed to doing that and I know so are many others including Senators FORD, EXON, RIEGLE, and PACKWOOD.

Mr. President, we will continue to exercise our powers of oversight over the Commission—to insure that universal service is maintained, and to insure as best we can that this pro-

found change in the telecommunications industry works well for consumers, both business and residential, the industry and its many workers, and the Nation as a whole.●

AMENDMENTS SUBMITTED

FREEDOM OF INFORMATION REFORM ACT

DENTON AMENDMENT NO. 2715

(Ordered to lie on the table.)

Mr. DENTON submitted an amendment intended to be proposed by him to the bill (S. 774) entitled the "Freedom of Information Reform Act"; as follows:

On page 16, line 24, strike out "or".

On page 17, line 6, strike out all after "functions" and insert in lieu thereof "functions; or".

On page 17, between lines 6 and 7, insert the following:

"(12) related to the investigation of terrorism or concerned with foreign counterintelligence operations."

On page 17, strike out lines 8 through 15 and insert in lieu thereof the following:

Sec. 12. Section 552(b) of title 5, United States Code, is amended by striking out the second sentence thereof.

CAREER CRIMINAL ACT

KENNEDY (AND OTHERS) AMENDMENT NO. 2716

Mr. KENNEDY (for himself, Mr. THURMOND, Mr. BIDEN, Mr. LAXALT, Mr. LEAHY, Mr. EAST, Mr. DENTON, Mr. MOYNIHAN and Mr. CHILES) proposed an amendment to the bill (S. 52) to combat violent and major crime by establishing a Federal offense for continuing a career of robberies or burglaries while armed and providing a mandatory sentence of life imprisonment; as follows:

(1) On page 5, strike line 3 and insert in lieu thereof the following: "of a robbery or burglary offense which may be prosecuted in a court of the United States, or";

(2) On page 5, strike line 12 and insert in lieu thereof the following: "(c) The offense referred to in subsection (b) of";

(3) On page 7, line 9, add "and" after "way";

(4) On page 7, line 11, delete "and" and insert a period after "person"; and

(5) On page 7, strike section 4(c).

EXPORT ADMINISTRATION ACT AMENDMENTS

PERCY AMENDMENTS NO. 2717 THROUGH 2720

(Ordered to lie on the table.)

Mr. PERCY submitted four amendments intended to be proposed by him to the bill (S. 979) to amend and reauthorize the Export Administration Act of 1979; as follows:

AMENDMENT No. 2717

On page 41, strike out line 7.

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